

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

RONALD KOONS, *et al.*

*Plaintiffs*

V.

WILLIAM REYNOLDS, *et al.*

### *Defendants*

-----

AARON SIEGEL, *et al.*

*Plaintiffs,*

V.

MATTHEW PLATKIN, *et al.*

*Defendants.*

Civil Action No. 1:22-cv-07464-  
RMB-AMD

## CIVIL ACTION

**(ELECTRONICALLY FILED)**

## CONSOLIDATED ACTIONS

**SUPPLEMENTAL DECLARATION OF DANIEL L. SCHMUTTER  
IN FURTHER SUPPORT OF SIEGEL PLAINTIFFS' MOTION FOR  
A PRELIMINARY INJUNCTION**

1. I, Daniel L. Schmutter, am an attorney at the law firm of Hartman & Winnicki, P.C., attorneys of record for Plaintiffs in the above-titled action. I am licensed to practice law before the United States District Court for the District of New Jersey. I have personal knowledge of the facts set forth herein and, if called and sworn as a witness, could and would testify competently thereto.

2. Attached hereto as **Exhibit A** is a screen shot of a page on the website of The Chamber of Commerce of Southern New Jersey showing that Joseph Dougherty is attorney for the Casino Association of New Jersey. <https://business.chambersnj.com/directory/Details/casino-association-of-new-jersey-891105> (last visited March 16, 2023).

3. Attached hereto as **Exhibit B** is a letter from attorney Joseph Dougherty to the Casino Reinvestment Development Authority (“CRDA”) seeking site plan approval for a local Dougherty family business, Docks Oyster House. <https://njcrda.com/wp-content/uploads/documents/2021/08/Submission-Cover-Letter-dated-3-29-21.pdf> (last visited March 16, 2023).

4. Attached hereto as **Exhibit C** is a screen shot of the page of the CRDA’s website identifying the members of the Board of Directors, which include Defendant Attorney General Platkin, Gaming Enforcement Director David Rebeck, James Plousis, Chairman of the Casino Control Commission, and Lt. Governor Sheila Oliver. <https://njcrda.com/board-of-directors/> (last visited March 16, 2023).

5. Attached hereto as **Exhibit D** is an April 24, 2017 news article from Atlantic City Weekly identifying the owners of Docks Oyster House as “Joe and Frank Dougherty.” <https://atlanticcityweekly.com/families-in-business/the-dougherty-family-has-offered-the-best-in-seafood-and-service-at-docks-oyster->

[house/article\\_ce50169c-d038-5a4e-bbcc-e6f3c3bed476.html](https://www.shorelocalnews.com/article_ce50169c-d038-5a4e-bbcc-e6f3c3bed476.html) (last visited March 16, 2023).

6. Attached hereto as **Exhibit E** is a June 29, 2021 news article from Shore Local News announcing the opening of Dougherty's Steakhouse and Raw Bar in the Resorts Casino Hotel. The Article quotes Resorts Casino Hotel CEO Mark Giannantonio, who is also President of the Casino Association of New Jersey ("CANJ") and the individual who signed the statement of the CANJ regarding the carry of guns in casinos. <https://shorelocalnews.com/the-dougherty-family-opens-steakhouse-and-raw-bar-in-resorts-casino-atlantic-city/> (last visited March 16, 2023).

I declare under penalty of perjury that the foregoing is true and correct.  
Executed within the United States.

/s/ Daniel L. Schmutter  
Daniel L. Schmutter

3/16/2023  
Date

# EXHIBIT A

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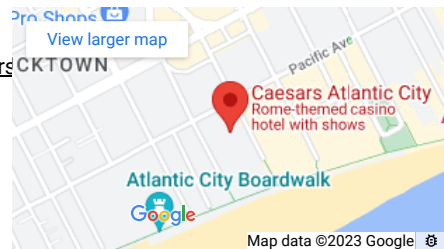
# Casino Association of New Jersey

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[\(609\) 449-5500 \(tel:6094495500\)](tel:6094495500)

## Additional Info

Minority-owned business : No

Women-owned business : No

Veteran-owned business : No

## Member News

[Casino Association of New Jersey  
Names Giannantonio President  
\(https://business.chambersnj.com/member-news/Details/casino-association-of-new-jersey-names-giannantonio-president-124365\)](https://business.chambersnj.com/member-news/Details/casino-association-of-new-jersey-names-giannantonio-president-124365)

## Contacts

PRIMARY

**Joseph Dougherty**  
Attorney

**Steve Callender**  
President

# EXHIBIT B

JOSEPH R. DOUGHERTY  
ATTORNEY AT LAW  
5409 WINCHESTER AVENUE  
VENTNOR, NEW JERSEY 08401  
TELEPHONE (609) 431-0490

EMAIL: jdougherty@jdnjlaw.com

March 29, 2021

Rob Reid, AICP, PP  
Land Use Regulation Enforcement Officer  
Casino Reinvestment Development Authority  
C/O Rob Reid  
PO Box 1774  
Absecon, NJ 08201

Re: Dock's Oyster House, Inc.  
Application for Amendment of prior  
Site Plan Approval (App#2015-06-1550)  
Restaurant parking lot expansion project  
Block 279, Lots 40, 44, 45, 46 & 48-52

Dear Rob:

Enclosed is one original and one copy of an application for approval of an Amendment to the above referenced prior Site Plan approval. Included in this transmittal are:

1. two electronic copies of the Site Plan prepared by Arthur W. Ponzio and Associates and all of the documents comprising this application;
2. two checks, one in the amount of \$550.00 for application fees and one in the amount of \$4,200.00 for the escrow deposit;
3. tax certifications from the Atlantic City Tax Collector showing that the taxes on all properties involved in the Project are current;
4. A copy of a deed dated 2018 describing the easement area that is located within the proposed parking lot expansion area;
5. a copy of the 200 foot list; and
6. a proposed form of advertisement of the application to be published after a hearing date is provided;

As we discussed, this application seeks approval for the expansion of the existing parking lot area at Dock's Oyster House to include two small adjacent properties that were acquired after the original approvals were granted. The expansion would add nine valet parking spots and still preserve the access easement that passes between the two new lots. The application also requests approval for the construction of a 6' by 27' refrigeration unit at the rear of the existing building.

Although I know you are familiar with the property - just by way of background - Dock's is

- 2 -

Atlantic City's oldest restaurant and was originally opened in 1897, in or about the same year as Steel Pier, the Atlantic City Country Club and the Atlantic City Hospital, by Harry Dougherty, great grandfather of the current principals. It moved from its original location at 1817 Atlantic Avenue to its current location at 2405 Atlantic Avenue when the Convention Hall was under construction in or about 1929 and it has expanded twice and been renovated several times in that location since that move. The most recent expansion, of course, was that approved under the Site Plan approval that we are now looking to amend.

I am also mailing copies of the full paper application packet (and emailing electronic copies) to the following CRDA professionals:

Kathryn Cornforth, PE, CME  
ARH Associates  
215 Bellevue Avenue  
PO Box 579  
Hammonton, NJ 08037  
gisinfo@arh-us.com

Christine A. Nazzaro-Cofone, AICP/PP  
Cofone Consulting Group, LLC  
125 Half Mile Road - Suite 200  
Red Bank, NJ 07701  
ccofone@cofoneconsulting.com

Scott G. Collins Esq.  
Riker Danzig Scherer Hyland & Perretti LLP  
Headquarters Plaza  
One Speedwell Avenue  
Morristown, NJ 07962-1981  
SCOLLINS@RIKER.com

As always, I look forward to working with you and your staff on this Project. Of course, should you have any questions or require any further information, please do not hesitate to call.

Very truly yours,



Joseph R. Dougherty



# EXHIBIT C

Governor Phil Murphy • Lt. Governor Sheila Oliver



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**Modia Butler**

**Board Chairman**

Mo Butler is a highly respected public affairs expert with extensive experience in government relations, political campaigns, and strategic communications in New Jersey and Washington,...

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## **Lt. Governor Sheila Y. Oliver**

### **Commissioner, Department of Community Affairs**

Lieutenant Governor Oliver is a self-described “Jersey Girl,” born and raised in an ethnically diverse Newark neighborhood. Lieutenant Governor Oliver was inspired as a young...

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**Elizabeth Muoio**

**State Treasurer**

Elizabeth Maher Muoio was officially sworn in as State Treasurer on April 17, 2018 after being confirmed by the State Senate. She had been serving...

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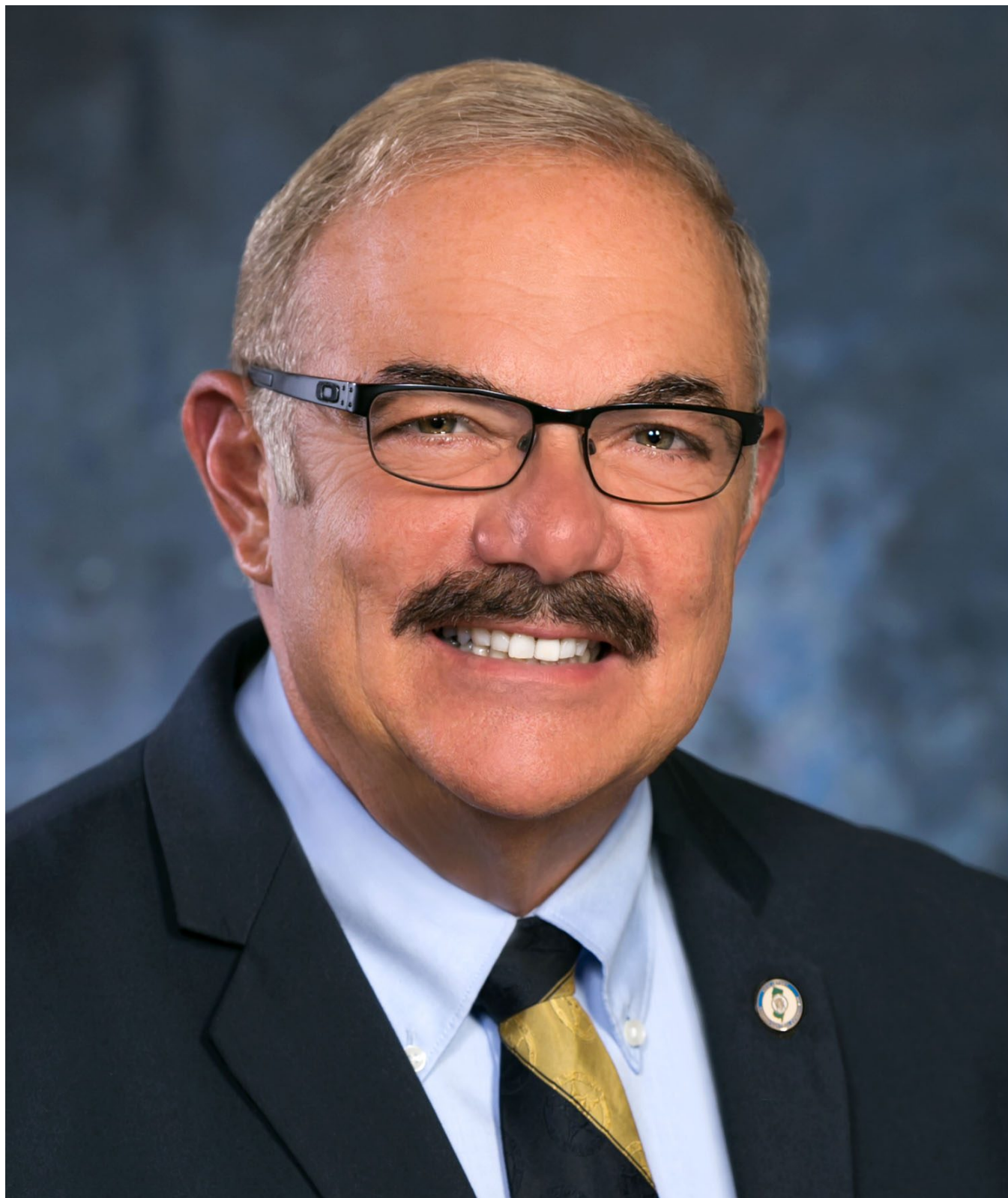
**Matthew J. Platkin**

**Attorney General**



Matthew J. Platkin was nominated by Governor Phil Murphy to serve as the state's 62nd Attorney General on February 3, 2022, and confirmed to that...

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**James T. Plousis**

**Chairman, Casino Control Commission**



Chairman Plousis is a veteran public service and law enforcement professional well known for his leadership skills. He was sworn in as the eighth chairman...

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## **Marty Small, Sr.**

### **Mayor, City of Atlantic City**

Marty Small was born in Atlantic City, New Jersey on March 25, 1974 to the late Ms. Annette Ann Small. Marty is a lifelong resident...

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## Paulina Banasiak

Paulina Banasiak is a democratic political operative with years of experience in the executive and legislative branch. She is a Vice President at The Zita...

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### **Mike Beson**

Mike Beson is a small business owner in Monmouth County. His company, Guide Publications, specializes in online recruitment tools that have matched thousands of job...

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**Daniel Cosner**

Daniel Cosner, is the Business Manager and Financial Secretary of Electrical Workers Local Union 351, a labor union which represents over 2,600 members. Mr. Cosner...

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### **Michael I. Hanley**

Michael I. Hanley is a Principal at NW Financial Holdings, Inc. The company owns a number of companies including NW Financial Group, LLC and NW...

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## Michael Laughlin III

Michael is currently President of the Atlantic and Cape May County Building Trades Council and Assistant Business Manager with International Union of Painters and Allied...

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**Brett Matik**

Brett Matik, 48, is President of Harrison Beverage Company, a Southern New Jersey based business that for over 65 years has been distributing alcoholic and...

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**William T. Mullen**

William T. Mullen is the President of the New Jersey State Building & Construction Trades Council. As President of the Building Trades Council, Mr. Mullen...

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**David Rebuck**

**Director Division of Gaming Enforcement**



David Rebuck serves on the CRDA Board of Directors as a designee of the Attorney General of New Jersey. David L. Rebuck was named by...

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**William C. Sproule**

William Sproule is the Executive Secretary-Treasurer of the Eastern Atlantic States Regional Council of Carpenters (EASRCC). EASRCC represents more than 41,000 members in Delaware, District...

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**Karen Worman**

Karen Worman was born in Atlantic City and raised in Ventnor. Karen has been employed by Caesars Entertainment since 1992 starting her casino career at...

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A board of 17 voting members governs the Authority as follows:

- Six public members appointed by the Governor with the advice and consent of the State Senate for four-year terms.
- Two members appointed by the Governor upon the recommendation of the President of the State Senate for a four-year term.
- Two members appointed by the Governor upon the recommendation of the Speaker of the General Assembly for a four-year term.
- Two casino representatives appointed by the Governor for two-year terms.
- One member of the Casino Control Commission appointed by the Governor.
- The Mayor of Atlantic City.
- The State Treasurer.
- The State Attorney General.
- One member appointed by the Governor, who shall be either the Commissioner of the Department of Commerce and Economic Development or the Department of Community Affairs, or the Governor may appoint, in lieu thereof, an additional member of the Casino Control Commission as a voting member.

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## Casino Reinvestment Development Authority

15 South Pennsylvania Avenue  
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# EXHIBIT D

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## The Dougherty family has offered the best in seafood and service at Dock's Oyster House, Harry's Oyster Bar and the Knife & Fork Inn

Apr 24, 2017

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A restaurant surviving for over 100 years is a remarkable feat in itself. A restaurant owned and operated by the same family for over 100 years is a true rarity, and Dock's Oyster House is just that. Dock's was opened by Harry "call-me-Dock" Dougherty in 1897 and quickly became a favorite of locals and tourists. Lines would form out the door on Atlantic Avenue (and at the back door for those in the know) with guests waiting to dine on the freshest seafood in town.

Harry's vision has since been carried on by four generations of Doughertys, who share his commitment to quality and service. The fourth-generation owners, brothers Joe and Frank Dougherty, got an early start in the restaurant standing on milk crates to wash dishes when they were 8 and 6, and went on to learn every aspect of the business from their parents Joe and Arleen. They also learned the more subtle qualities necessary to run a successful family business — mutual respect, hard work, dedication and a willingness to do whatever it is that needs to get done.

The family business now includes the Knife & Fork Inn and Harry's Oyster Bar in addition to the recently renovated and expanded Dock's. Frank and his wife Maureen run the restaurants full time with Joe and his wife Bernadette, who have careers outside the business, assisting frequently. The fifth generation — Madison, Harry, Katherine, Megan and Lila — are already getting involved. It is too early to know who will take over, but we are certain that the business will thrive and welcome the sixth generation of Doughertys.

Dock's Oyster House, 2405 Atlantic Ave., **DocksOysterHouse.com**; Harry's Oyster Bar, 1900 Pacific Ave., **HarrysOysterBar.com**; Knife & Fork Inn, 3600 Atlantic Ave., **KnifeAndForkInn.com**; all in Atlantic City.

# EXHIBIT E



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The Dougherty Family Opens Dougherty's Steakhouse and Raw Bar in Resorts Casino Atlantic City.

# The Dougherty Family Opens Dougherty's Steakhouse and Raw Bar in Resorts Casino Atlantic City.

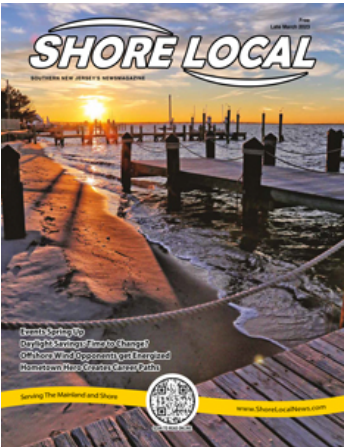
June 29, 2021 Cindy Fertsch



Dougherty's Steakhouse is now Open in Resorts Casino Atlantic City



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turn to the experts

Shore Local's Marc Berman met up with Frank Dougherty, owner of the newest dining option in Resorts Casino Atlantic City Dougherty's Steakhouse and Raw Bar at the Dougherty's



Steakhouse ribbon cutting in Resorts for a short interview.

The Dougherty Family are the owners of the Knife and Fork, Doc's Oyster House and Harry's in Atlantic City and the Linwood Country Club.

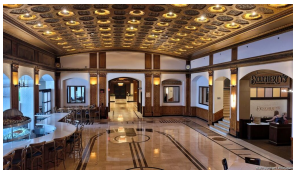
Frank, can you give us a little insight into what you've created here at Dougherty's Steakhouse and Raw Bar?

"Resorts was looking for another steakhouse and they came to us and we said this is such a beautiful space, it was hard to pass up.

This was the old Le Palais and the Gold Room, just a great historic kind of a place for us to be and I like old things."

"The outside space that was Gallagher's Burger Bar we said we could easily convert into a spectacular raw bar."

And Dougherty's Steakhouse and Raw Bar is Born in Resorts Casino Atlantic City.



Dougherty's Steakhouse Photos By: Marc Berman

Earlier Resort put out a statement about the new partnership and you can read that below.

"Resorts Casino Hotel is pleased to announce Dougherty's Steakhouse and Raw Bar is officially open! The new restaurant is owned and operated by Atlantic City restaurateurs, the Dougherty family, a staple in the local restaurant industry for over 120 years. The Dougherty family has become synonymous with fine dining in Atlantic City. In 1987, Harry "Call Me Dock" Dougherty opened Dock's Oyster House with a vision of a fine neighborhood restaurant and a commitment to quality and service. That vision and commitment has allowed four generations of Doughertys to flourish in the restaurant industry, growing the brand to include the iconic Knife & Fork Inn, Harry's Oyster Bar and Linwood Country Club.

"Resorts Casino Hotel is delighted to be in this partnership with the Dougherty family, and to celebrate the opening of Dougherty's Steakhouse and Raw Bar," said Mark Giannantonio, President and CEO of Resorts Casino Hotel. "As two historic Atlantic City staples with decades of fine dining experience come together, we are excited to offer our guests a new dining concept that includes an enticing menu and energizing live entertainment. Dougherty's Steakhouse and Raw Bar is a perfect complement to our other award-winning fine dining offerings."

"We are excited to announce the opening of Dougherty's Steakhouse and Raw Bar in the historic Resorts Casino Hotel," said Frank Dougherty. "The space has been beautifully renovated in classic steakhouse style with modern touches and the new menu allows steaks

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and chops to share the spotlight with an expansive raw bar and carefully curated wine list. We are happy to be included in the amenities Resorts offers to its guests and the dining public, especially as COVID restrictions begin to ease, and we look forward to an amazing summer.”

In addition to the variety of delicious seafood options the Doughertys’ restaurants are known for, the menu at Dougherty’s Steakhouse and Raw Bar includes filet mignon, NY strip, porterhouse and other select cuts of steak. The menu will also include veal Milanese, lamb chops and prime rib. Guests can top off their favorite steaks and chops with options like a delicious crab Oscar, foie gras butter and black truffle butter. While guests can currently access all of Dougherty’s Steakhouse and Raw Bar’s mouthwatering menu items in one space, a separate raw bar will officially open right across from the steakhouse in June 2021. The raw bar will exclusively offer seafood items, along with a casual lunch menu that includes sandwiches, burgers and salads.

Dougherty’s Steakhouse and Raw Bar is located on the dining level of Resorts Casino Hotel. Hours of operation are 4:00pm to 9:00pm on Sunday through Thursday and 4:00pm to 9:30pm on Friday and Saturday. Guests can book reservations via [Resy.com](#), via [doughertyssteak.com](#) or by calling 609-340-6555.

Atlantic City Casinos, Food & Beverage doughertys steakhouse, shore local news

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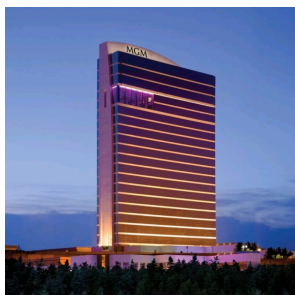
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